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Attorney for Applicant

Date: 2 June 2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/689,355
Applicant : BEAUMONT, Mark
Filed : 20 October 2003
Title : Method For Using Filtering To Load Balance a Loop of Parallel
Processing Elements
TC/A.U. : 2195
Examiner : WAI, Eric Charles
Docket No. : PAT001061-000

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OFFICE OF PETITIONS

PETITION UNDER 37 CFR 1.313(c)

This Petition Under 37 CFR 1.313(c) seeks withdrawal from issue of the above-identified application. On 4 February 2008 a notice of allowance was mailed. On 29 April 2008 the issue fee was paid. The application is scheduled to issue on 17 June 2008. Applicant wishes to withdraw the application from issue to have new references considered via a request for continued examination as permitted by 37 CFR 1.313(c)(2).

Rule 313 states that an application may be withdrawn from issue after payment of the issue fee for consideration of a request for continued examination. A request for continued examination with a submission is filed herewith. The submission filed with the RCE is an Information Disclosure Statement as authorized by 37 CFR 1.114(c).

Applicant respectfully requests that the Office grant applicant's petition under 37 CFR 1.313(c), withdraw the above-identified application from issue, and enter the RCE.

06/05/2008 CKHLOK 00000001 503013 10689355

01 FC:1464 130.00 DA

Respectfully submitted,



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Dated: 2 June 2008

PII-1177431v1



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June 2, 2008

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Operator's initials

Re: **APPL. NO. 10/689,355**
APPLICANT: BEAUMONT, Mark
FILED: 20 October 2003
ATTY. DOCKET NO.: PAT001061-000 (013721-0078-999)

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THIS FAX TRANSMISSION INCLUDES:

Transmittal Letter (1 p. in duplicate); Petition Under 37 CFR 1.313(c); Petition Fee Under 37 CFR 1.17(f), (g) & (h) Transmittal (PTO/SB/17p) (1 p. in duplicate); Request for Continued Examination (RCE) Transmittal (PTO/SB/30) (1 p. in duplicate); Information Disclosure Statement (4 pp.); PTO/SB/08a and PTO/SB/08b; copies of two non-patent literature documents

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OFFICE OF PETITIONS

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-captioned application, please find the following:

- Petition Under 37 CFR 1.313(c);
- Petition Fee Under 37 CFR 1.17(f), (g) & (h) Transmittal (PTO/SB/17p) (1 p. in duplicate);
- Request for Continued Examination (RCE) Transmittal (PTO/SB/30) (1 p. in duplicate);
- Information Disclosure Statement;
- Form PTO/SB/08a;
- Form PTO/SB/08b; and
- Copies of two non-patent literature documents.

The Commissioner is hereby authorized to charge any additional fees due in connection with this filing to our Deposit Account No. 50-3013. A copy of this Transmittal Letter is enclosed.

Respectfully submitted,



Edward L. Pencoske
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Attorneys for Applicant

Date: 02 June 2008

P11-1177468v1

PTO/SB/17p (01-08)

Approved for use through 06/30/2008, OMB 0351-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FEE
Under 37 CFR 1.17(f), (g) & (h)
TRANSMITTAL
 (Fees are subject to annual revision)

Send completed form to: Commissioner for Patents
 P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	10/689,355 JUN 0 2 2008
Filing Date	20 October 2003
First Named Inventor	BEAUMONT, OFFICE OF PETITIONS
Art Unit	2195
Examiner Name	WAI, Eric Charles
Attorney Docket Number	PAT001061-000

Enclosed is a petition filed under 37 CFR 1.313 that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 130 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition). If applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

Payment of Fees (small entity amounts are NOT available for the petition fees)

☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 50-3013:

☒ petition fee under 37 CFR 1.17(f), (g) or (h) ☒ any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$ _____ is enclosed.

☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462

For petitions filed under:

- § 1.38(a) - for revocation of a power of attorney by fewer than all applicants
- § 1.53(e) - to accord a filing date.
- § 1.57(a) - to accord a filing date.
- § 1.182 - for decision on a question not specifically provided for.
- § 1.183 - to suspend the rules.
- § 1.378(e) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
- § 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463

For petitions filed under:

- § 1.12 - for access to an assignment record.
- § 1.14 - for access to an application.
- § 1.47 - for filing by other than all the inventors or a person not the inventor.
- § 1.59 - for expungement of information.
- § 1.103(a) - to suspend action in an application.
- § 1.136(b) - for review of a request for extension of time when the provisions of section 1.135(a) are not available.
- § 1.295 - for review of refusal to publish a statutory invention registration.
- § 1.298 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
- § 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
- § 1.550(c) - for patent owner requests for extension of time in *ex parte* reexamination proceedings.
- § 1.956 - for patent owner requests for extension of time in *inter partes* reexamination proceedings.
- § 5.12 - for expedited handling of a foreign filing license.
- § 5.15 - for changing the scope of a license.
- § 5.25 - for retroactive license.

Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464

For petitions filed under:

- § 1.19(g) - to request documents in a form other than that provided in this part.
- § 1.84 - for accepting color drawings or photographs.
- § 1.91 - for entry of a model or exhibit.
- § 1.102(d) - to make an application special.
- § 1.138(c) - to expressly abandon an application to avoid publication.
- § 1.313 - to withdraw an application from issue.
- § 1.314 - to defer issuance of a patent.


 Signature

Edward L. Pencoske

Typed or printed name

June 2, 2008

Date

29,688

Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.